

JOURNAL

OF

THE SENATE

OF

THE UNITED STATES OF AMERICA;

BEING THE FIRST SESSION OF THE ELEVENTH CONGRESS:

BEGUN AND HELD

AT THE CITY OF WASHINGTON,

MAY 22, 1809,

AND IN THE THIRTY-THIRD YEAR OF THE INDEPENDENCE OF THE SAID STATES.

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1821.

CONGRESS OF THE UNITED STATES.

THE First Session of the Eleventh Congress, conformably to the act passed the last session, entitled "An act to alter the time for the next meeting of Congress," commenced this day; and the Senate assembled at the City of Washington.

MONDAY, MAY 22, 1809.

PRESENT,

The Honorable GEORGE CLINTON, Vice President of the United States and President of the Senate.

From the State of New Hampshire,	the Honorable	{ Nicholas Gilman and Nahum Parker.
Massachusetts,	the Honorable	Timothy Pickering.
Connecticut,	the Honorable	{ James Hillhouse, and Chauncey Goodrich.
Rhode Island,	the Honorable	{ Elisha Mathewson, and Francis Malbone.
Vermont,	the Honorable	Jonathan Robinson.
New Jersey,	the Honorable	John Lambert.
Pennsylvania,	the Honorable	{ Andrew Gregg, and Michael Leib.
Delaware,	the Honorable	Samuel White.
Maryland,	the Honorable	Samuel Smith.
Virginia,	the Honorable	William B. Giles.
North Carolina,	the Honorable	{ Jesse Franklin, and James Turner.
South Carolina,	the Honorable	John Gaillard.
Kentucky,	the Honorable	Buckner Thruston.
Ohio,	the Honorable	Return Jonathan Meigs, Jun.

The Honorable Joseph Anderson, appointed a Senator by the legislature of the state of Tennessee, for the term of six years, commencing on the fourth day of March last; and the Honorable Obediah German, appointed a Senator by the legislature of the state of New York, for the term of six years, commencing on the fourth day of March last, severally produced their credentials, which were read; and the oath prescribed by law having been administered to them, they took their seats in the Senate.

On motion, by Mr. Anderson,

Ordered, That the Secretary acquaint the House of Representatives that a quorum of the Senate is assembled and ready to proceed to business.

On motion, by Mr. Anderson,

Resolved, That each Senator be supplied, during the present session, with three such newspapers printed in any of the states as he may choose, provided that the same be furnished at the usual rate for the annual charge of such papers: and, provided, also, that if any Senator shall choose to take any newspapers other than daily papers, he shall be supplied with as many such papers as shall not exceed the price of three daily papers.

On motion, by Mr. Anderson,

Resolved, That James Mathers, Sergeant-at-Arms and Doorkeeper to the Senate, be, and he is hereby, authorized to employ one assistant and two horses for the purpose of performing such services as are usually required by the Doorkeeper to the Senate; and that the sum of twenty-eight dollars be allowed him weekly for that purpose, to commence with, and remain during the session, and for twenty days after.

On motion,

Ordered, That Messrs. Anderson and Gilman be a committee on the part of the Senate, together with such committee as may be appointed by the House of Representatives on their part, to wait on the President of the United States and notify him that a quorum of the two Houses is assembled and ready to receive any communications that he may be pleased to make to them.

Ordered, That the Secretary acquaint the House of Representatives therewith.

On motion,

The Senate adjourned to 2 o'clock, P. M.

The Senate assembled agreeably to adjournment.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

Mr. President: I am directed to inform the Senate that a quorum of the House of Representatives is assembled, and that the House have elected Joseph B. Varnum, Esq. one of the Representatives for the state of Massachusetts, their Speaker, and are ready to proceed to business.

The House of Representatives have appointed a committee on their part, jointly, with the committee on the part of the Senate, to wait on the President of the United States and notify him that a quorum of the two Houses is assembled and ready to receive any communications that he may be pleased to make to them.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.

TUESDAY, MAY 23, 1809.

Mr. Anderson reported, from the joint committee, that they had waited on the President of the United States, agreeably to order, and that the President of the United States informed the committee that he would make a communication to the two Houses at 12 o'clock this day.

The Honorable James Lloyd, junior, appointed a Senator by the legislature of the state of Massachusetts, for six years, commencing on the fourth day of March last, attended and produced his credentials; which were read.

On motion, by Mr. Franklin,

Ordered, That General Arthur St. Clair have leave to withdraw his petition presented the last session, together with the papers therein referred to.

Mr. Leib presented the petition of Edward Pennington and others, sugar refiners in the City of Philadelphia, praying that a law may be passed granting a drawback on refined sugar exported, equal to the duties paid on the importation of brown sugar, for reasons mentioned in the petition; which was read.

Ordered, That it lie for consideration.

On motion, by Mr. White,

Resolved, That two chaplains, of different denominations, be appointed to Congress during the present session, one by each House, who shall interchange weekly.

Ordered, That the Secretary request the concurrence of the House of Representatives in this resolution.

The following written message was received from the President of the United States, by Mr. Graham, principal clerk in the office of the Secretary of State:

Fellow citizens of the Senate and of the House of Representatives:

On this first occasion of meeting you, it affords me much satisfaction to be able to communicate the commencement of a favorable change in our foreign relations, the critical state of which induced a session of Congress at this early period.

In consequence of the provisions of the act interdicting commercial intercourse with Great Britain and France, our ministers at London and Paris were, without delay, instructed to let it be understood by the French and British governments that the authority vested in the Executive to renew commercial intercourse with their respective nations would be exercised in the case specified by that act.

Soon after these instructions were despatched, it was found that the British government, anticipating from early proceedings of Congress, at their last session, the state of our laws, which has had the effect of placing the two belligerent powers on a footing

of equal restrictions, and, relying on the conciliatory disposition of the United States, had transmitted to their legation here provisional instructions, not only to offer satisfaction for the attack on the frigate *Chesapeake*, and to make known the determination of his Britannic majesty to send an envoy extraordinary with powers to conclude a treaty on all the points between the two countries; but, moreover, to signify his willingness, in the mean time, to withdraw his orders in council, in the persuasion that the intercourse with Great Britain would be renewed on the part of the United States.

These steps of the British government led to the correspondence and the proclamation now laid before you, by virtue of which the commerce between the two countries will be renewable after the 10th day of June next.

Whilst I take pleasure in doing justice to the councils of his Britannic majesty, which, no longer adhering to the policy which made an abandonment by France of her decrees a pre-requisite to a revocation of the British orders, have substituted the amicable course which has issued thus happily, I cannot do less than refer to the proposal heretofore made on the part of the United States, embracing a like restoration of the suspended commerce, as a proof of the spirit of accommodation which has at no time been intermitted, and to the result which now calls for our congratulations, as corroborating the principles by which the public councils have been guided during a period of the most trying embarrassments.

The discontinuance of the British orders, as they respect the United States, having been thus arranged, a communication of the event has been forwarded in one of our public vessels to our minister plenipotentiary at Paris, with instructions to avail himself of the important addition thereby made to the considerations which press on the justice of the French government a revocation of its decrees, or such a modification of them as that they shall cease to violate the neutral commerce of the United States.

The revision of our commercial laws, proper to adapt them to the arrangement which has taken place with Great Britain, will doubtless engage the early attention of Congress. It will be worthy, at the same time, of their just and provident care, to make such further alterations in the laws as will more especially protect and foster the several branches of manufacture which have been recently instituted or extended by the laudable exertions of our citizens.

Under the existing aspect of our affairs, I have thought it not inconsistent with a just precaution to have the gun-boats, with the exception of those at New Orleans, placed in a situation incurring no expense beyond that requisite for their preservation and conveniency for future service, and to have the crews of those at New Orleans reduced to the number required for their navigation and safety.

I have thought, also, that our citizens, detached in quotas of militia amounting to one hundred thousand, under the act of March, one thousand eight hundred and eight, might not improperly be relieved from the state in which they were held for immediate service. A discharge of them has been accordingly directed.

The progress made in raising and organizing the additional military force, for which provision was made by the act of April, one thousand eight hundred and eight, together with the disposition of the troops, will appear by a report which the Secretary of War is preparing, and which will be laid before you.

Of the additional frigates required by an act of the last session to be fitted for actual service, two are in readiness, one nearly so, and the fourth is expected to be ready in the month of July. A report which the Secretary of the Navy is preparing on the subject, to be laid before Congress, will shew, at the same time, the progress made in officering and manning these ships. It will shew, also, the degree in which the provisions of the act relating to the other public armed ships have been carried into execution.

It will rest with the judgment of Congress to decide how far the change in our external prospects may authorize any modifications of the laws relating to the army and navy establishments.

The works of defence for our seaport towns and harbors have proceeded with as much activity as the season of the year and other circumstances would admit. It is necessary, however, to state that the appropriations hitherto made being found to be deficient, a further provision will claim the early consideration of Congress.

The whole of the eight per cent. stock remaining due by the United States, amounting to five millions three hundred thousand dollars, had been reimbursed on the last day of the year 1808. And, on the first day of April last the sum in the Treasury exceeded nine and a half millions of dollars. This, together with the receipts of the current year on account of former revenue bonds, will probably be nearly, if not altogether, sufficient to defray the expenses of the year. But the suspension of exports, and the consequent decrease of importations, during the last twelve months, will ne-

cessarily cause a great diminution in the receipts of the year one thousand eight hundred and ten. After that year, should our foreign relations be undisturbed, the revenue will again be more than commensurate to all the expenditures.

Aware of the inconveniences of a protracted session, at the present season of the year, I forbear to call the attention of the legislature to any matters not particularly urgent. It remains, therefore, only to assure you of the fidelity and alacrity with which I shall co-operate for the welfare and happiness of our country; and to pray that it may experience a continuance of the divine blessings by which it has been so signally favored.

JAMES MADISON.

The message and papers accompanying it were read.

On motion, by Mr. Giles,

Ordered, That five hundred copies thereof be printed for the use of the Senate.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.

WEDNESDAY, MAY 24, 1809.

The Honorable John Condit, appointed a Senator by the Executive of the state of New Jersey, in the place of the Honorable Aaron Kitchel, resigned, took his seat, and his credentials were read; and the President administered the oath to him as the law prescribes.

The Honorable John Pope, from the state of Kentucky, attended.

Mr. Giles submitted the following motion for consideration:

Resolved, That so much of the President's message as relates to the revision of our commercial laws, for the purpose of adapting them to the arrangement which has taken place with Great Britain, be referred to a select committee, with instructions to examine the same and report thereon to the Senate; and that the committee have leave to report by bill or otherwise.

The following motion was submitted for consideration by Mr. Giles:

Resolved, That so much of the President's message as relates to the defence of our seaport towns and harbors be referred to a select committee, with instruction to examine the same and report thereon to the Senate; and that the committee have leave to report by bill or otherwise.

The following motion was also submitted by Mr. Giles for consideration:

Resolved, That a select committee be appointed to inquire whether it be expedient, at this time, to make any modifications of the laws relating to the army and navy of the United States; and that the committee have leave to report by bill or otherwise.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

Mr. President: The House of Representatives concur in the resolution sent from the Senate, for the appointment of chaplains to Congress during the present session. And he withdrew.

On motion, by Mr. White,

The Senate proceeded to the election of a chaplain on their part, in pursuance of the resolution of the two houses, and the whole number of votes collected was 21, of which the Reverend Mr. Wilmer had 11, and was accordingly elected.

Ordered, That the Secretary notify the House of Representatives of the appointment.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.

THURSDAY, MAY 25, 1809.

The President laid before the Senate a letter from the Secretary of the Navy, enclosing a statement of the vessels belonging to the navy of the United States, and of the gun-boats; which was read.

Ordered, That it lie for consideration.

The Senate resumed the consideration of the motion submitted yesterday, that so much of the President's message as relates to the revision of our commercial laws, for the purpose of adapting them to the arrangement which has taken place with Great Britain, be referred to a select committee, with instructions to examine the same and report thereon to the Senate, and that the committee have leave to report by bill or otherwise; and, having agreed thereto,

Ordered, That Messrs. Giles, Smith, of Maryland, Pope, Lloyd, and Gregg, be the committee.

The Senate resumed the consideration of the motion submitted yesterday, that so much of the President's message as relates to the defence of our seaport towns and harbors be referred to a select committee, with instruction to examine the same and report thereon to the Senate, and that the committee have leave to report by bill or otherwise; and, having agreed thereto,

Ordered, That Messrs. German, Gilman, Malbone, Smith, of Maryland, and Leib, be the committee.

The Senate resumed the consideration of the motion submitted yesterday, that a select committee be appointed to inquire whether it be expedient at this time to make any modification of the laws relating to the army and navy of the United States, and that the committee have leave to report by bill or otherwise; and, having adopted the motion,

Ordered, That Messrs. Anderson, Hillhouse, Turner, White, and Franklin, be the committee.

Mr. Pope gave notice that he should, to-morrow, ask leave to bring in a bill for the relief of William White and others.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.

FRIDAY, MAY 26, 1809.

The Honorable Jenkin Whiteside, appointed a Senator by the legislature of the state of Tennessee, for two years, commencing on the fourth of March last, in place of the Honorable Daniel Smith, resigned, took his seat, and his credentials were read; and the President administered the oath to him as the law prescribes.

The Honorable Richard Brent, from the state of Virginia, attended.

Agreeably to notice given yesterday, Mr. Pope asked and obtained leave to bring in a bill for the relief of William White and others; and the bill was read.

Ordered, That it pass to the second reading.

Mr. Pope presented a resolution of the General Assembly of the state of Kentucky, expressive of their opinion that strong garrisons at Michilimackinac, St. Louis, and near the mouth of the Ohio, would be of great public utility, and particularly aid in the protection of the frontiers; and the resolution was read.

Ordered, That it be referred to the committee appointed yesterday on so much of the message of the President of the United States as relates to the defence of our seaport towns and harbors, to consider and report thereon.

On motion,

The Senate adjourned to 11 o'clock on Monday morning.

MONDAY, MAY 29, 1809.

The bill for the relief of William White and others was read the second time.

Ordered, That it be referred to Messrs. Pope, Gregg, Hillhouse, Franklin, and Malbone, to consider and report thereon.

Mr. Thruston presented the petition of John Mason and others, inhabitants of the county of Washington, in the District of Columbia, praying that such part of "An act supplementary to the act to incorporate the inhabitants of the City of Washington, in the District of Columbia," as exempts the City of Washington from taxation by the levy court of Washington county, be repealed, for reasons mentioned in the petition; which was read.

Ordered, That it be referred to Messrs. Thruston, Anderson, and Brent, to consider and report thereon.

Mr. Giles, from the committee to whom was referred so much of the President's message as relates to the revision of our commercial laws, for the purpose of adapting them to the arrangement which has taken place with Great Britain, reported a bill to amend and continue in force the act, entitled "An act to interdict the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes;" which was read; and

On motion, by Mr. Lloyd,

The bill was amended by unanimous consent.

Ordered, That this bill pass to the second reading.

The following written message was received from the President of the United States, by Mr. Graham:

To the Senate of the United States:

I now lay before Congress the report of the Secretary of War, shewing the progress made in carrying into effect the act of April, 1808, for raising an additional military force, and the disposition of the troops.

JAMES MADISON.

May 26, 1809.

The message and report were read.

Ordered, That they lie for consideration.

The President laid before the Senate a letter from Mr. Smith, of Maryland, stating that being appointed by the Executive of that state a Senator, in conformity with the constitution, until the next meeting of the legislature, which will take place on the 5th day of June next, he submits to the determination of the Senate the question, whether an appointment under the Executive of Maryland, to represent that state in the Senate of the United States, will or will not cease on the first day of the meeting of the legislature thereof? and the letter was read; and, after debate,

It was agreed that the further consideration thereof be postponed until to-morrow.

Mr. Giles gave notice that he should, to-morrow, ask leave to bring in a bill to fix the time for the next meeting of Congress.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

Mr. President: The House of Representatives have appointed the Reverend Jesse Lee a Chaplain to Congress on their part during the present session. They have appointed a committee on their part, to join such committee as may be appointed on the part of the Senate, to inquire what business is necessary to be done during the present session. The House of Representatives have passed a bill, entitled "An act respecting the ships or vessels owned by citizens or subjects of foreign nations, with which commercial intercourse is permitted;" in which they request the concurrence of the Senate. And he withdrew.

The bill last brought up for concurrence was read.

On motion,

The bill was read the second time by unanimous consent.

Ordered, That it be referred to Messrs. Lloyd, Giles, and Anderson, to consider and report thereon.

Mr. Lloyd, from the committee, reported the bill without amendment; and it was read the third time by unanimous consent.

Resolved, That this bill pass.

Ordered, That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this bill.

On motion,

Resolved, That Mr. Meigs be of the committee for enrolled bills, jointly, with such committee as may be appointed for that purpose on the part of the House of Representatives.

Ordered, That the Secretary notify the House of Representatives accordingly.

The resolution of the House of Representatives for the appointment of a joint committee to consider the business necessary to be acted on this session, was read for consideration.

On motion,

Ordered, That Messrs. Malbone, Franklin, and Gilman, be a committee agreeably to the 22d rule for conducting business in the Senate.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

TUESDAY, MAY 30, 1809.

Agreeably to notice, Mr. Giles asked and obtained leave to bring in a bill to fix the time for the next meeting of Congress; and the bill was read.

Ordered, That it pass to the second reading.

The bill to amend and continue in force the act, entitled "An act to interdict the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes," was read the second time; and

On motion, by Mr. Giles,

It was agreed that the further consideration thereof be the order of the day for Thursday next.

The Senate resumed the resolution for appointing a joint committee on the business requisite to be done during the present session.

On motion, by Mr. Leib,
To postpone the consideration thereof for one week,
It was determined in the negative; and the resolution was agreed to.
Ordered, That Messrs. Giles, Franklin, and Hillhouse, be the committee on the part of the Senate.

Ordered, That the Secretary notify the House of Representatives accordingly.
A message from the House of Representatives, by Mr. Magruder, their Clerk:
Mr. President: The House of Representatives have appointed a committee for enrolled bills, jointly, with the committee appointed for that purpose on the part of the Senate. And he withdrew.

Mr. Meigs reported, from the committee, that they had examined and found duly enrolled the bill, entitled "An act respecting the ships or vessels owned by citizens or subjects of foreign nations, with which commercial intercourse is permitted."

Mr. Pope submitted the following motion for consideration:

Resolved, That a committee be appointed to inquire whether it be expedient, at this time, to pass a law for taking the census of the inhabitants of the United States and territories thereof.

The Senate resumed the consideration of the letter from Mr. Smith, of Maryland, communicated yesterday.

On motion, by Mr. Giles,

Ordered, That the further consideration thereof be postponed to the 5th of June next.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

Mr. President: The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of their President. And he withdrew.

The President signed the enrolled bill last reported to have been examined, and it was delivered to the committee, to be laid before the President of the United States.

After the consideration of the Executive business,
The Senate adjourned to 11 o'clock to-morrow morning.

WEDNESDAY, MAY 31, 1809.

The Honorable Stephen R. Bradley, from the state of Vermont, attended.

Mr. Giles presented the memorial of Edward Livingston, of New Orleans, stating that, for a long time prior to the 25th January, 1804, he was in peaceable possession of a parcel of land called the Batture, in front of the suburb of St. Mary's, in the city of New Orleans. That, on the 25th of January, he was forcibly removed by the marshal of the district, under the orders of the President of the United States, notwithstanding an injunction had been granted by the superior court against the execution of the warrant; and praying that the possession may be restored to him, and that such measures may be pursued as the wisdom of Congress may devise, for providing a legal decision on the title of the United States, if it shall be supposed they have any to the property in question; and the memorial was read.

Ordered, That it be referred to Messrs. Giles, Anderson, Hillhouse, White, and Whiteside, to consider and report thereon.

The Senate resumed the consideration of the motion made yesterday for a committee to inquire into the expediency of taking the census of the inhabitants of the United States and territories; and, the motion being amended, was agreed to, as follows:

Resolved, That a committee be appointed to inquire whether it be expedient, at this time, to pass a law for taking the census of the inhabitants of the United States and territories thereof; and that the committee have leave to report by bill or otherwise.

Ordered, That Messrs. Pope, Meigs, and Anderson, be the committee.

The bill to fix the time for the next meeting of Congress was read the second time as in committee of the whole.

On the question, Shall this bill be engrossed and read a third time?

It was determined in the affirmative.

Mr. Meigs reported, from the committee, that they had yesterday laid before the President of the United States the enrolled bill, entitled "An act respecting the ships or vessels owned by citizens or subjects of foreign nations with which commercial intercourse is permitted."

Mr. Malbone gave notice that he should, to-morrow, ask leave to bring in a bill for extending the benefit of drawback upon exportation of all goods, wares, and merchan-

dise, entitled thereto, which may be transported by land from Newport, Rhode Island, to Boston, and from Boston to Newport.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.

THURSDAY, JUNE 1, 1809.

Mr. Malbone, from the committee, reported the bill to fix the time for the next meeting of Congress correctly engrossed; and the bill was read the third time.

Ordered, That the further consideration thereof be postponed until Monday next.

Agreeably to the order of the day, the Senate resumed the consideration of the bill to amend and continue in force the act, entitled "An act to interdict the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes," as in committee of the whole;

And an amendment having been proposed by Mr. Giles to the first section,

Ordered, That the further consideration thereof be postponed until to-morrow.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.

FRIDAY, JUNE 2, 1809.

The Honorable Philip Reed, from the state of Maryland, attended.

The Honorable Stanley Griswold, appointed a Senator by the Executive of the state of Ohio, to fill the vacancy occasioned by the resignation of the Honorable Edward Tiffin, took his seat, and his credentials were read; and the President administered the oath to him as the law prescribes.

The Honorable John Smith, from the state of New York, attended.

Agreeably to notice given, Mr. Malbone asked and obtained leave to bring in a bill for extending the benefit of a drawback of the duties upon exportation on all goods, wares, and merchandise, subject thereto, that may be transported by land from the port of Newport to the port of Boston, and from said Boston to said Newport; and the bill was read.

Ordered, That it pass to the second reading.

The Senate resumed, as in committee of the whole, the consideration of the bill to amend and continue in force the act, entitled "An act to interdict the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes," together with the amendment submitted yesterday; and,

On motion, by Mr. Pickering, further to amend the bill,

Ordered, That the bill, together with the amendments, be re-committed to Messrs. Smith, of Maryland, Giles, Lloyd, Pope, and Gregg, to consider generally and report thereon.

Mr. German, from the committee to whom was referred, on the 25th of May last, so much of the President's message as relates to the defence of our seaport towns and harbors; and, on the 26th, the resolution of the state of Kentucky, relative to garrisons on the western waters, reported a bill making further appropriations to complete the fortifications commenced for the security of the ports and harbors of the United States, and to erect such fortifications as may be necessary for the protection of the northern and western frontiers of the United States; and the bill was read.

Ordered, That it pass to the second reading.

The President laid before the Senate the report of the Secretary of the Treasury, in obedience to the act, entitled "An act to establish the Treasury Department;" and the report was read.

Ordered, That it lie for consideration.

On motion,

The Senate adjourned to 11 o'clock on Monday morning.

MONDAY, JUNE 5, 1809.

Mr. Mathewson announced the death of his colleague, the Honorable Francis Malbone, who deceased yesterday morning.

On motion, by Mr. Lloyd,

Resolved, That the Senate will attend the funeral of the Honorable Francis Malbone, this afternoon at 5 o'clock, from his late residence; that notice thereof be given to the

House of Representatives, and that a committee be appointed for superintending the funeral.

Ordered, That Messrs. Lloyd, Gilman, and White, be the committee.

On motion, by Mr. Lloyd,

Resolved, unanimously, That the members of the Senate, from a sincere desire of shewing their respect to the memory of the Honorable Francis Malbone, deceased, late a member thereof, will go into mourning for him one month, by the usual mode of wearing a crape round the left arm; and that a sum not exceeding one hundred and fifty dollars be applied out of the contingent fund for placing a neat slab or monument with a suitable inscription over his tomb.

On motion, by Mr. Lloyd,

Resolved, That, as an additional mark of respect to the memory of the Honorable Francis Malbone, the Senate now adjourn.

And the Senate accordingly adjourned to 11 o'clock to-morrow morning.

TUESDAY, JUNE 6, 1809.

Mr. Giles, from the joint committee appointed on the part of the Senate to consider and report the business requisite to be acted on during the present session, made a report; which was read for consideration.

The Senate resumed the consideration of the letter of the Honorable Mr. Smith, a Senator from the state of Maryland; and

Mr. Giles submitted a resolution, which was amended, and is as follows:

Resolved, That the Honorable Samuel Smith, a Senator appointed by the Executive of the state of Maryland, to fill the vacancy which happened in the office of Senator for that state, is entitled to hold his seat in the Senate of the United States during the session of the legislature of Maryland, which, by the proclamation of the governor of said state, was to commence on the 5th day of the present month of June; unless said legislature shall fill such vacancy by the appointment of a Senator, and this Senate be officially informed thereof.

On motion, by Mr. Anderson,

To amend the motion, by striking out all after the word "Resolved," and inserting: "That any Senator of this body, who holds a seat under an Executive appointment, cannot, according to the provisions of the constitution of the United States, be entitled to continue to hold his seat as a member of this body, after the meeting of the legislature of the state from which such Senator may be a member."

And a division of the motion for amendment was called for, and the question having been taken on striking out, it passed in the negative; and the motion for amendment having been lost, the original motion was agreed to—Yeas 19, Nays 6.

On motion, by Mr. Lloyd,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Anderson, Brent, Franklin, Gaillard, German, Giles, Gilman, Goodrich, Griswold, Hillhouse, Lambert, Mathewson, Meigs, Pope, Robinson, Smith, of New York, Thruston, White, and Whiteside.

Those who voted in the negative, are,

Messrs. Bradley, Leib, Lloyd, Parker, Pickering, and Turner.

On motion, by Mr. Lloyd,

Resolved, That the President of the Senate be requested to notify the Executive of the state of Rhode Island and Providence Plantations of the death of the Honorable Francis Malbone, late a Senator of the United States from that state.

The bill for extending the benefit of a drawback of the duties upon exportation on all goods, wares, and merchandise, subject thereto, that may be transported by land from the district of Newport to the port of Boston, and from said Boston to said Newport, was read the second time.

Ordered, That it be referred to Messrs. Lloyd, Mathewson, and Gilman, to consider and report thereon.

Mr. Anderson, from the committee appointed on the 25th of May, to inquire whether it be expedient at this time to make any modification of the laws relating to the army and navy of the United States, reported in part a bill to suspend for a limited time the recruiting service; and the bill was read.

Ordered, That it pass to the second reading.

The bill to fix the time for the next meeting of Congress was resumed, and the blank filled with "fourth Monday of November."

Resolved, That this bill pass, and that the title thereof be "An act to fix the time or the next meeting of Congress."

Ordered, That the Secretary request the concurrence of the House of Representatives in this bill.

Mr. Pope, from the committee appointed to inquire whether it be expedient at this time to pass a law for taking the census of the inhabitants of the United States and the territories thereof, reported a bill providing for the third census or enumeration of the inhabitants of the United States; which was read.

Ordered, That it pass to the second reading.

On motion, by Mr. Anderson,

It was agreed to reconsider the vote for the second reading of the bill; and,

On motion, by Mr. Bradley,

Ordered, That the further consideration of this bill be postponed until the fourth Monday in November next.

The bill making further appropriations to complete the fortifications commenced for the security of the seaport towns and harbors of the United States, and to erect such fortifications as may be necessary for the protection of the northern and western frontiers of the United States, was read the second time.

Ordered, That the further consideration thereof be postponed until to-morrow.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.

WEDNESDAY, JUNE 7, 1809.

The Honorable James A. Bayard, from the state of Delaware, attended.

The bill to suspend for a limited time the recruiting service, was read the second time, and considered as in committee of the whole.

On the question, Shall this bill be engrossed and read a third time?

It was determined in the affirmative.

The Senate resumed, as in committee of the whole, the second reading of the bill making further appropriations to complete the fortifications commenced for the security of the ports and harbors of the United States, and to erect such fortifications as may be necessary for the protection of the northern and western frontiers of the United States; and,

On the question, Shall this bill be engrossed and read a third time?

It was determined in the affirmative.

On motion, by Mr. Anderson,

Resolved, That the Secretary of the Senate be authorized to continue John Dempsey as an engrossing clerk, in his office, for another quarter, to commence on the first day of April last, notwithstanding the present state of his health.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.

THURSDAY, JUNE 8, 1809.

The Honorable William H. Crawford, from the state of Georgia, attended.

Mr. Franklin, from the committee, reported the bill to suspend for a limited time the recruiting service, correctly engrossed; and the bill was read the third time.

Resolved, That this bill pass, and that the title thereof be "An act to suspend for a limited time the recruiting service."

Ordered, That the Secretary request the concurrence of the House of Representatives in this bill.

Mr. Franklin, from the committee, reported the bill making further appropriations to complete the fortifications commenced for the security of the ports and harbors of the United States, and to erect such fortifications as may be necessary for the protection of the northern and western frontiers of the United States, correctly engrossed; and the bill was read the third time, and the blank filled with "seven hundred and fifty thousand dollars."

Resolved, That this bill pass, and that the title thereof be "An act making further appropriations to complete the fortifications commenced for the security of the ports and harbors of the United States, and to erect such fortifications as may be necessary for the protection of the northern and western frontiers of the United States."

Ordered, That the Secretary request the concurrence of the House of Representatives in this bill.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

Mr. President: The House of Representatives have passed a bill, entitled "An act authorizing the appointment of an agent for the land office at Kaskaskia, and allow

ing compensation to the commissioners and clerk;" a bill, entitled "An act supplementary to an act, entitled 'An act making appropriations for carrying into effect a treaty between the United States and the Chickasaw tribe of Indians,' and to establish a land office in the Mississippi territory;" also, a bill, entitled "An act declaring the assent of Congress to a certain act of the state of South Carolina, passed the twenty-first of December, one thousand eight hundred and four;" in which bills they request the concurrence of the Senate. And he withdrew.

The three bills last mentioned were read.

Ordered, That they severally pass to the second reading.

On motion, by Mr. Meigs,

The bill, entitled "An act authorizing the appointment of an agent for the land office at Kaskaskia, and allowing compensation to the commissioners and clerk," was read the second time by unanimous consent.

Ordered, That it be referred to Messrs. Meigs, Pickering, and Pope, to consider and report thereon.

Mr. Lloyd, from the committee to whom was referred the bill for extending the benefit of a drawback of the duties upon exportation on all goods, wares, and merchandise, subject thereto, that may be transported by land from the port of Newport to the port of Boston, and from said Boston to said Newport, reported the bill without amendment; and the bill was considered as in committee of the whole; and no amendment having been proposed,

On the question, Shall this bill be engrossed, and read a third time?

It was determined in the affirmative.

Mr. Anderson, from the committee appointed on the 25th of May, to inquire whether it be expedient at this time to make any modification of the laws relating to the army and navy of the United States, reported in part a bill to direct the sale of gun-boats; and the bill was read.

Ordered, That it pass to the second reading.

He also reported sundry documents on the subject referred to the consideration of the committee, which were read.

Mr. Hillhouse submitted the following motion for consideration:

Resolved, That a committee of elections be appointed, to examine and report on the credentials and qualifications of the members returned to serve in the Senate, since the third day of March, 1809.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.

FRIDAY, JUNE 9, 1809.

Mr. Franklin, from the committee, reported the bill for extending the benefit of a drawback of the duties upon exportation on all goods, wares, and merchandise, subject thereto, that may be transported by land from the port of Newport to the port of Boston, and from said Boston to said Newport, correctly engrossed; and the bill was read the third time.

Resolved, That this bill pass, and that the title thereof be "An act for extending the benefit of a drawback of the duties upon exportation on all goods, wares, and merchandise, subject thereto, that may be transported by land from the port of Newport to the port of Boston, and from said Boston to said Newport."

Ordered, That the Secretary request the concurrence of the House of Representatives in this bill.

The bill to direct the sale of gun-boats was read the second time.

Ordered, That it lie for consideration.

The bill, entitled "An act to continue in force 'An act declaring the assent of Congress to a certain act of the state of South Carolina, passed the 21st of December, 1804,'" was read the second time.

Ordered, That it be referred to Messrs. Gaillard, Giles, and Gilman, to consider and report thereon.

The bill, entitled "An act supplementary to an act, entitled 'An act making appropriations for carrying into effect a treaty between the United States and the Chickasaw tribe of Indians,' and to establish a land office in the Mississippi territory," was read the second time, and considered as in committee of the whole; and no amendment having been offered,

Ordered, That this bill pass to the third reading.

Mr. Smith, of Maryland, from the committee to whom was referred the bill to amend and continue in force the act, entitled "An act to interdict the commercial intercourse

between the United States and Great Britain and France, and their dependencies, and for other purposes," together with the amendments proposed thereto, reported a new draught, as a substitute for the original bill, which was read and considered as in committee of the whole.

Mr. Meigs, from the committee to whom was referred the bill, entitled "An act authorizing the appointment of an agent for the land office at Kaskaskia, and allowing compensation to the commissioners and clerk," reported the bill amended.

The Senate proceeded to consider the amendment, as in committee of the whole, and having agreed thereto, the President reported the bill to the House accordingly.

Ordered, That this bill pass to the third reading as amended.

Mr. Franklin, from the committee, reported the amendment correctly engrossed, and the bill was read the third time as amended, by unanimous consent.

Resolved, That this bill pass with an amendment.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendment.

Mr. Giles submitted a resolution authorizing the President of the Senate and Speaker of the House of Representatives to adjourn their respective houses, and the resolution was twice read by unanimous consent.

On the question, Shall this resolution be engrossed and read a third time?

It was determined in the affirmative.

Mr. Franklin, from the committee, reported the resolution for adjournment correctly engrossed.

The following written message was received from the President of the United States, by Mr. Graham:

To the Senate of the United States:

In compliance with the request of the legislature of Pennsylvania, I transmit to Congress a copy of certain of its proceedings, communicated for the purpose by the Governor of that state.

JAMES MADISON.

June 4, 1809.

The message and papers were read.

Ordered, That they lie for consideration.

The Senate resumed the consideration of the motion submitted yesterday, which, being amended, was agreed to, as follows:

Resolved, That a committee of elections be appointed.

Ordered, That Messrs. Hillhouse, Giles, Crawford, Franklin, and Robinson, be the committee.

On motion, by Mr. Hillhouse,

Ordered, That the credentials of the Honorable Stanley Griswold, appointed a Senator by the Executive of the state of Ohio, be referred to this committee.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.

SATURDAY, JUNE 10, 1809.

The Senate resumed, as in committee of the whole, the bill to amend and continue in force the act, entitled "An act to interdict the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes."

On motion,

Ordered, That it be postponed until Monday next.

Mr. White presented the memorial of Michael Megear, and others, manufacturers of hats in the borough of Wilmington, and state of Delaware, praying that protecting measures may be adopted to improve and increase this branch of manufactures, and submitting the propriety of laying an additional duty on the importation of hats of foreign manufacture, or of prohibiting the importation entirely; and the memorial was read.

Ordered, That it lie on the table.

The bill, entitled "An act supplementary to an act, entitled 'An act making appropriations for carrying into effect a treaty between the United States and the Chickasaw tribe of Indians,' and to establish a land office in the Mississippi territory," was read the third time.

Resolved, That this bill pass.

Ordered, That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this bill.

The engrossed resolution authorizing the President of the Senate and Speaker of the House of Representatives to adjourn their respective houses, was read the third time, and the blank was filled; and

Resolved, by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the Senate and Speaker of the House of Representatives be authorized to adjourn their respective houses on the 20th day of June instant.

Ordered, That the Secretary request the concurrence of the House of Representatives in this resolution.

On motion,

The Senate adjourned to 11 o'clock on Monday morning.

MONDAY, JUNE 12, 1809.

On motion, by Mr. Giles,

Resolved, That a committee be appointed to inquire whether it be expedient and proper, at this time, to make any provision by law for remitting the penalties and forfeitures incurred by the violations of some of the provisions of the act, entitled "An act to prohibit the importation of slaves into any port or place within the jurisdiction of the United States, from and after the first day of January, in the year of our Lord one thousand eight hundred and eight," so far only as relates to the introduction of slaves into certain ports of the United States, who were lately forcibly expelled from the island of Cuba with the French inhabitants thereof; and that the committee have leave to report by bill or otherwise.

Ordered, That Messrs. Giles, Bradley, Anderson, Crawford, and Franklin, be the committee.

The Senate resumed, as in committee of the whole, the bill to amend and continue in force the act, entitled "An act to interdict the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes."

On motion, by Mr. Giles,

Ordered, That the further consideration thereof be postponed until to-morrow.

The Senate resumed, as in committee of the whole, the bill to direct the sale of gun-boats.

On motion,

Ordered, That the further consideration thereof be postponed until to-morrow.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

Mr. President: The House of Representatives concur in the bill sent from the Senate, entitled "An act making further appropriations to complete the fortifications commenced for the security of the ports and harbors of the United States, and to erect such fortifications as may be necessary for the protection of the northern and western frontiers of the United States." And he withdrew.

Mr. Gaillard, from the committee to whom was referred the bill, entitled "An act to continue in force 'An act declaring the assent of Congress to a certain act of the state of South Carolina, passed the 21st of December, 1804,'" reported the bill without amendment.

Ordered, That this bill pass to the third reading.

Mr. Meigs reported, from the committee, that they had this day examined and found duly enrolled the bill, entitled "An act making further appropriations to complete the fortifications commenced for the security of the ports and harbors of the United States, and to erect such fortifications as may be necessary for the protection of the northern and western frontiers of the United States."

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.

TUESDAY, JUNE 13, 1809.

The President communicated a report from B. Henry Latrobe, Surveyor of the Public Buildings, made in obedience to the order of the President of the United States; and the report was read.

Also, a letter from B. Henry Latrobe, stating the expenses incurred by fixing up a temporary Senate chamber, with sundry vouchers; which were read.

On motion, by Mr. Brent,

Resolved, That they be referred to a select committee, to consider and report thereon by bill or otherwise.

Ordered, That Messrs. Brent, Gregg, and Leib, be the committee.

The Senate resumed, as in committee of the whole, the bill to amend and continue in force the act, entitled "An act to interdict the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes;" and,

On motion, by Mr. Anderson,

Ordered, That the further consideration thereof be postponed until to-morrow.

On motion, by Mr. Lloyd,

Resolved, That the President of the United States be requested to cause to be laid before the Senate such information in relation to our concerns with Great Britain, as may be in possession of the Department of State, as he may think it expedient to submit to the Senate.

Ordered, That the Secretary lay this resolution before the President of the United States.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

Mr. President: The House of Representatives disagree to the amendment of the Senate to the bill, entitled "An act authorizing the appointment of an agent for the land office at Kaskaskia, and allowing compensation to the commissioners and clerk."

The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of their President. And he withdrew.

The President signed the enrolled bill last reported to have been examined, and it was delivered to the committee, to be laid before the President of the United States.

The bill, entitled "An act to continue in force 'An act declaring the assent of Congress to a certain act of the state of South Carolina, passed the 21st day of December, 1804,'" was read the third time.

Resolved, That this bill pass.

Ordered, That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this bill.

The Senate proceeded to consider their amendment to the bill, entitled "An act authorizing the appointment of an agent for the land office at Kaskaskia, and allowing compensation to the commissioners and clerk," disagreed to by the House of Representatives; and,

On motion, by Mr. Pope,

Resolved, That they recede from their said amendment.

Ordered, That the Secretary notify the House of Representatives accordingly.

The Senate resumed the consideration of the bill to direct the sale of gun-boats, as in committee of the whole.

On motion, by Mr. Bradley,

To postpone the further consideration thereof until the first Monday in January next,

It was determined in the negative.

On motion, by Mr. Anderson,

Ordered, That the consideration of this bill be further postponed until to-morrow.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.

WEDNESDAY, JUNE 14, 1809.

Mr. Meigs reported, from the committee, that they had this day laid before the President of the United States the enrolled bill, entitled "An act making further appropriations to complete the fortifications commenced for the security of the ports and harbors of the United States, and to erect such fortifications as may be necessary for the protection of the northern and western frontiers of the United States."

Mr. Giles, from the committee appointed on the 12th instant, on this subject, reported a bill for the remission of certain penalties and forfeitures, and for other purposes;" and the bill was read.

Ordered, That it pass to the second reading.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

Mr. President: The House of Representatives have passed a bill, entitled "An act authorizing the discharge of John Heard from his imprisonment," in which they request the concurrence of the Senate. And he withdrew.

The bill was twice read by unanimous consent.

Ordered, That it be referred to Messrs. Leib, White, and Condit, to consider and report thereon.

Mr. Meigs reported, from the committee, that they had this day examined and found duly enrolled the bill, entitled "An act authorizing the appointment of an agent for the land office at Kaskaskia, and allowing compensation to the commissioners and clerk;" a bill, entitled "An act supplementary to an act, entitled "An act making appropriations for carrying into effect a treaty between the United States and the Chickasaw tribe of Indians, and to establish a land office in the Mississippi territory;" also, a bill, entitled "An act to continue in force 'An act declaring the assent of Congress to a certain act of the state of South Carolina, passed the 21st day of December, 1804."

A message from the House of Representatives, by Mr. Magruder, their Clerk:

Mr. President: The Speaker of the House of Representatives having signed several enrolled bills, I am directed to bring them to the Senate for the signature of their President. And he withdrew.

The President signed the three enrolled bills last reported to have been examined, and they were delivered to the committee, to be laid before the President of the United States.

Mr. Leib, from the committee to whom was referred the bill, entitled "An act authorizing the discharge of John Heard from his imprisonment," reported the bill without amendment.

The Senate proceeded to consider the bill as in committee of the whole, and no amendment having been proposed thereto,

Ordered, That it pass to the third reading.

Mr. Lloyd submitted the following motion for consideration:

Resolved, That the Secretary of the Senate be authorized to pay, out of the contingent fund, the expenses incurred for the funeral of the Honorable Francis Malbone, late a Senator of the United States, whenever the same shall have been allowed and certified by the committee of arrangement.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.

THURSDAY, JUNE 15, 1809.

Mr. Meigs reported, from the committee, that they had this day laid before the President of the United States the enrolled bill, entitled "An act authorizing the appointment of an agent for the land office at Kaskaskia, and allowing compensation to the commissioners and clerk;" the enrolled bill, entitled "An act supplementary to an act, entitled 'An act making appropriations for carrying into effect the treaty between the United States and the Chickasaw tribe of Indians, and to establish a land office in the Mississippi territory;" also, the enrolled bill, entitled "An act to continue in force 'An act declaring the assent of Congress to a certain act of the state of South Carolina, passed the 21st of December, 1804."

The bill for the remission of certain penalties and forfeitures, and for other purposes, was read the second time.

Ordered, That the further consideration thereof be postponed until to-morrow.

Mr. Reed gave notice that he should to-morrow ask leave to bring in a bill to change the post route from Annapolis to Rockhall, by Baltimore to Rockhall.

The bill, entitled "An act authorizing the discharge of John Heard from his imprisonment," was read the third time.

Resolved, That this bill pass.

Ordered, That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this bill.

The Senate resumed the consideration of the motion submitted yesterday; and

Resolved, That the Secretary of the Senate be authorized to pay, out of the contingent fund, the expenses incurred for the funeral of the Honorable Francis Malbone, late a Senator of the United States, whenever the same shall have been allowed and certified by the committee of arrangement.

Mr. Hillhouse, from the committee of elections, to whom were referred the credentials of Stanley Griswold, Esq. appointed a Senator of the United States by the Executive of the state of Ohio, made report:

Whereupon,

Resolved, That Stanley Griswold, appointed by the Governor of the state of Ohio, as a Senator of the United States, to fill the vacancy occasioned by the resignation of Edward Tiffin, is entitled to his seat.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.

FRIDAY, JUNE 16, 1809.

The following written message was received from the President of the United States, by Mr. Graham:

To the Senate of the United States:

In compliance with the resolution of the Senate of the 13th instant, I transmit extracts from letters from Mr. Pinkney to the Secretary of State, accompanied by letters and communications to him from the British Secretary of State for the foreign department; all of which have been received here since the last session of Congress.

To these documents are added a communication just made by Mr. Erskine to the Secretary of State, and his answer.

June 15, 1809.

JAMES MADISON.

The message and papers were read.

Ordered, That they lie for consideration, and that three hundred copies thereof be printed for the use of the Senate.

The following verbal message was also communicated by Mr. Graham:

Mr. President: The President of the United States did, on the 14th instant, approve and sign "An act making further appropriations to complete the fortifications commenced for the security of the ports and harbors of the United States, and to erect such fortifications as may be necessary for the protection of the northern and western frontiers of the United States."

Ordered, That the Secretary notify the House of Representatives accordingly.

After the consideration of the Executive business,

Mr. Bradley asked and obtained leave of absence, after Monday next, for the remainder of the session.

The Senate resumed, as in committee of the whole, the bill for the remission of certain penalties and forfeitures, and for other purposes; and

On motion, by Mr. Reed,

To expunge the second section, as follows:

"*And be it further enacted*, That every owner of any such slave may have and exercise the same rights of ownership over the same as if the act aforesaid had never been passed, until the legislatures of the several states and territories thereof, within which any such slave or slaves may have been brought as aforesaid, shall have disposed of the same according to the provisions of the act aforesaid."

It was determined in the affirmative, { Yeas 19,
Nays 9.

The yeas and nays having been required by one-fifth of the Senators present, Those who voted in the affirmative, are,

Messrs. Bayard, Condit, Franklin, German, Gilman, Goodrich, Gregg, Griswold, Hillhouse, Lambert, Leib, Lloyd, Mathewson, Parker, Pickering, Reed, Smith, of New York, Thruston, and White.

Those who voted in the negative, are,

Messrs. Anderson, Bradley, Brent, Crawford, Gaillard, Giles, Pope, Turner, and Whiteside.

On the question, Shall this bill be engrossed and read a third time?

It was determined in the affirmative, { Yeas 20,
Nays 5.

On motion, by Mr. Hillhouse,

The yeas and nays having been required by one-fifth of the Senators present, Those who voted in the affirmative, are,

Messrs. Anderson, Bradley, Brent, Condit, Crawford, Franklin, Gaillard, German, Giles, Gilman, Gregg, Griswold, Lambert, Leib, Pope, Smith, of New York, Thruston, Turner, White, and Whiteside.

Those who voted in the negative, are,

Messrs. Bayard, Goodrich, Hillhouse, Lloyd, and Pickering.

Mr. Brent gave notice that he should, to morrow, ask leave to bring in a bill to appropriate certain public grounds in the city of Washington for the erection of public baths.

The Senate resumed, as in committee of the whole, the bill to direct the sale of gun-boats.

On motion, by Mr. Anderson,

It was agreed that this bill be recommitted to a select committee.

Ordered, That Messrs. Anderson, Turner, and Hillhouse, be the committee further to consider and report thereon.

The Senate resumed, as in committee of the whole, the bill to amend and continue in force the act, entitled "An act to interdict the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes."

On motion, by Mr. White,

Ordered, That the further consideration thereof be postponed until to-morrow.

Mr. Brent submitted the following motion for consideration:

Resolved, That the petition of Richard Bland Lee, presented at the last session of Congress, praying compensation for injuries committed on his property near Harper's Ferry, by the officers and agents of the United States, be referred to the Secretary of War to examine the allegations thereof, and report to the next session of Congress a special statement of facts thereon, particularly the extent and value of the trespasses alleged to have been committed, with his opinion thereon.

Agreeably to notice given yesterday, Mr. Reed asked and obtained leave to bring in a bill to change the post route from Annapolis to Rockhall, by Baltimore to Rockhall; and the bill was read.

On motion,

The bill was read a second time by unanimous consent; and

Ordered, That it be referred to Messrs. Reed, White, and Bradley, to consider and report thereon.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.

SATURDAY, JUNE 17, 1809.

Mr. Reed, from the committee to whom was referred the bill to change the post route from Annapolis to Rockhall, by Baltimore to Rockhall, reported the bill without amendment.

The Senate proceeded to consider the bill as in committee of the whole, and no amendment having been proposed thereto,

On the question, Shall this bill be engrossed and read a third time?

It was determined in the affirmative.

Agreeably to notice given, Mr. Brent asked and obtained leave to bring in a bill to appropriate certain public grounds in the city of Washington for the erection of public baths; and the bill was read.

Ordered, that it pass to the second reading.

The Senate resumed, as in committee of the whole, the bill to amend and continue in force the act, entitled "An act to interdict the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes;" and the President reported the bill to the House amended.

On the question, Shall this bill be engrossed, and read a third time as amended?

It was determined in the affirmative.

Mr. Franklin, from the committee, reported the bill for the remission of certain penalties and forfeitures, and for other purposes, correctly engrossed; and the bill was read the third time.

On motion, by Mr. Hillhouse,

Ordered, That this bill be postponed until Monday next.

Mr. Franklin, from the committee, reported the bill to change the post route from Annapolis to Rockhall, by Baltimore to Rockhall, correctly engrossed; and the bill was read the third time, and the blank filled with "15th of July."

Resolved, That this bill pass, and that the title thereof be "An act to change the post route from Annapolis to Rockhall, by Baltimore to Rockhall."

Ordered, That the Secretary request the concurrence of the House of Representatives in this bill.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock on Monday morning.

MONDAY, JUNE 19, 1809.

On motion, by Mr. Giles,

Resolved, That the President of the United States be requested to cause to be laid before the Senate such information as he may deem proper to communicate respecting the unfortunate exiles lately expelled from the Island of Cuba, and who may have arrived or are expected to arrive within the jurisdiction of the United States; and, also, respecting any propositions which may have been made to him by the minister pleni-

potentiary of France, for the purpose of facilitating the removal of any of the said exiles, with their slaves and other effects, from the United States, to any place within the dominions of France.

Ordered, That the Secretary lay this resolution before the President of the United States.

Mr. Franklin, from the committee, reported the bill to amend and continue in force the act, entitled "An act to interdict the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes," correctly engrossed.

The Senate resumed the third reading of the bill for the remission of certain penalties and forfeitures, and for other purposes.

On motion,

Ordered, That it be referred to Messrs. Giles, Anderson, Crawford, Franklin, and Hillhouse, to consider and report thereon.

Mr. Anderson, from the committee to whom was referred the bill to direct the sale of gun-boats, reported the bill with an amendment.

Mr. Brent gave notice that he should, to-morrow, ask leave to bring in a bill supplementary to an act, entitled "An act authorizing the erection of a bridge over the river Potomac, within the District of Columbia."

The bill to appropriate certain public ground in the city of Washington for the erection of public baths, was read the second time and considered as in committee of the whole, and amended; and the President having reported the bill to the House accordingly,

On the question, Shall this bill be engrossed and read a third time as amended?

It was determined in the affirmative.

The President laid before the Senate a letter from the Secretary of War, containing three statements of contracts made by the Secretary of War and the purveyor of public supplies in the year 1808, in pursuance of the act of 21st of April, 1808; and the letter and statements were read.

Ordered, That they lie for consideration.

The bill to amend and continue in force the act, entitled "An act to interdict the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes," was read the third time.

On the question, Shall this bill pass?

It was determined unanimously in the affirmative—Yeas 29.

On motion, by Mr. Pope,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Anderson, Bayard, Brent, Condit, Crawford, Franklin, Gaillard, German, Giles, Gilman, Goodrich, Gregg, Griswold, Hillhouse, Lambert, Leib, Lloyd, Mathewson, Meigs, Parker, Pickering, Pope, Reed, Robinson, Smith, of New York, Thruston, Turner, White, and Whiteside.

And the title having been amended; it was

Resolved, That this bill pass, and that the title thereof be "An act to amend and continue in force certain parts of the act, entitled 'An act to interdict the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes.'"

Ordered, That the Secretary request the concurrence of the House of Representatives in this bill.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.

TUESDAY, JUNE 20, 1809.

Mr. Meigs reported, from the committee, that they had examined and found duly enrolled the bill, entitled "An act authorizing the discharge of John Heard from his imprisonment."

Mr. Franklin, from the committee, reported the bill to appropriate certain public ground in the city of Washington for the erection of public baths, correctly engrossed

Mr. Leib submitted the following motion for consideration:

Resolved, That a committee be appointed to inquire into the expediency of providing by law for the exclusion of foreign armed vessels from the ports and harbors of the United States; and that the committee have leave to report by bill.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

Mr. President: The President of the United States did, on the 15th instant, approve and sign "An act supplementary to an act, entitled 'An act making appropriations

Resolved, That this bill pass, and that the title thereof be "An act making an appropriation to finish and furnish the Senate chamber, and for other purposes."

Ordered, That the Secretary request the concurrence of the House of Representatives in this bill.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

WEDNESDAY, JUNE 21, 1809.

Mr. Giles, from the committee to whom were referred the bill for the remission of certain penalties and forfeitures, and for other purposes, and the message of the President of the United States respecting exiles from Cuba, reported the bill amended.

On motion, by Mr. Pickering,

Ordered, That the consideration thereof be postponed until to-morrow.

The bill supplementary to an act, entitled "An act authorizing the erection of a bridge over the river Potomac, within the District of Columbia," was read the second time.

On motion, by Mr. Leib,

Ordered, That the further consideration thereof be postponed until the first Monday in December next.

Agreeably to notice given, Mr. Lloyd asked and obtained leave to bring in a bill authorizing the accounting officers of the Treasury Department to give credit to certain collectors of the customs for allowances paid by them to the owners and crews of fishing vessels; and the bill was twice read by unanimous consent.

Ordered, That it be referred to Messrs. Lloyd, Leib, and Anderson, to consider and report thereon.

Mr. German presented the petition of John R. Murray and William Ogden, merchants, under the firm of John Murray and Sons, praying to be allowed the benefit of drawback on a quantity of Havana sugars exported, for reasons mentioned in their petition; which was read.

Ordered, That it be referred to Messrs. German, Gregg, and Lloyd, to consider and report thereon.

The Senate resumed the consideration of the motion submitted yesterday, that a committee be appointed to inquire into the expediency of providing by law for the exclusion of foreign armed vessels from the ports and harbors of the United States; and,

On motion, by Mr. Reed,

To postpone the consideration thereof until the first Monday in December next,

It was determined in the negative, $\left\{ \begin{array}{l} \text{Yeas} \dots\dots\dots 9, \\ \text{Nays} \dots\dots\dots 19. \end{array} \right.$

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bayard, German, Gilman, Goodrich, Hillhouse, Lloyd, Pickering, Reed, and White.

Those who voted in the negative, are,

Messrs. Anderson, Brent, Condit, Crawford, Franklin, Gaillard, Giles, Gregg, Griswold, Lambert, Leib, Mathewson, Meigs, Parker, Pope, Robinson, Smith, of New York, Turner, and Whiteside.

And,

Resolved, That a committee be appointed to inquire into the expediency of providing by law for the exclusion of foreign armed vessels from the ports and harbors of the United States; and that the committee have leave to report by bill.

Ordered, That Messrs. Leib, Crawford, Giles, Anderson, and Pope, be the committee.

Mr. Meigs reported, from the committee, that they had yesterday laid before the President of the United States the enrolled bill, entitled "An act authorizing the discharge of John Heard from his imprisonment."

A message from the House of Representatives, by Mr. Magruder, their Clerk:

Mr. President: The House of Representatives have postponed indefinitely the bill, entitled "An act to change the post route from Annapolis to Rockhall, by Baltimore to Rockhall." They have passed a bill, entitled "An act supplementary to the act, entitled 'An act making further provision for the support of public credit, and for the redemption of the public debt,' in which they request the concurrence of the Senate. The House of Representatives have passed a resolution for the appointment of a committee on their part, jointly with such committee as may be appointed on the part of the Senate, to have the direction of the money appropriated to purchase books for the use of the library of the United States. And he withdrew.

The bill brought up for concurrence was read.

Ordered, That it pass to the second reading.

The Senate proceeded to consider the resolution of the House of Representatives

for the appointment of a committee to have the direction of the money appropriated to purchase books for the use of the library; and

Resolved, That they concur therein; and,

Ordered, That Messrs. Thruston, Giles, and Gregg, be the committee.

Ordered, That the Secretary notify the House of Representatives accordingly.

The Senate resumed the consideration of the motion made the 16th instant; and,

Resolved, That the petition of Richard Bland Lee, presented at the last session of Congress, praying compensation for injuries committed on his property, near Harper's Ferry, by the officers and agents of the United States, be referred to the Secretary of War, to examine the allegations thereof, and report to the next session of Congress a special statement of facts thereon, particularly the extent and value of the trespasses alleged to have been committed, with his opinion thereon.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

THURSDAY, JUNE 22, 1809.

Mr. Lloyd, from the committee to whom was referred the bill authorizing the accounting officers of the Treasury Department to give credit to certain collectors of the customs for allowances paid by them to the owners and crews of fishing vessels, reported the bill without amendment.

The Senate proceeded to consider the bill as in committee of the whole, and no amendment having been proposed thereto,

On the question, Shall this bill be engrossed and read a third time?

It was determined in the affirmative.

The bill, entitled "An act supplementary to the act, entitled 'An act making further provision for the support of public credit, and for the redemption of the public debt,'" was read the second time.

Ordered, That it be referred to Messrs. Lloyd, Anderson, and Crawford, to consider and report thereon.

The Senate resumed, as in committee of the whole, the bill for the remission of certain penalties and forfeitures, and for other purposes; and the President having reported the bill to the House amended,

On the question, Shall this bill be engrossed and read a third time as amended?

It was determined in the affirmative.

Mr. Franklin, from the committee, reported the bill correctly engrossed, and it was read the third time by unanimous consent, and the blank filled with "fifteen thousand."

Resolved, That this bill pass, and that the title thereof be "An act for the remission of certain penalties and forfeitures, and for other purposes."

Ordered, That the Secretary request the concurrence of the House of Representatives in this bill.

Mr. Franklin, from the committee, reported the bill authorizing the accounting officers of the Treasury Department to give credit to certain collectors of the customs for allowances paid by them to the owners and crews of fishing vessels, correctly engrossed; and the bill was read the third time by unanimous consent.

Resolved, That this bill pass, and that the title thereof be "An act authorizing the accounting officers of the Treasury Department to give credit to certain collectors of the customs for allowances paid by them to the owners and crews of fishing vessels."

Ordered, That the Secretary request the concurrence of the House of Representatives in this bill.

Mr. Pope gave notice that he should to-morrow ask leave to bring in a bill freeing from postage all letters and packets from Thomas Jefferson.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

Mr. President: The House of Representatives concur in the resolution empowering the President of the Senate, and Speaker of the House of Representatives, to adjourn their respective Houses on the 20th instant, with an amendment, to wit: to insert the 28th instead of the 20th, in which they request the concurrence of the Senate. And he withdrew.

The Senate proceeded to consider the said amendment.

Whereupon,

Resolved, That they concur therein.

Ordered, That the Secretary notify the House of Representatives accordingly.

Mr. Lloyd gave notice that he should to-morrow ask leave to bring in a bill to authorize the Secretary of the Treasury, in certain cases, to remit the penalties and for-

feitures on vessels arriving in the United States from France, her colonies or dependencies.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.

FRIDAY, JUNE 23, 1809.

Mr. Pope gave notice that to-morrow he should ask leave to bring in a bill in addition to the act to regulate the laying out and making a road from Cumberland, in the state of Maryland, to the state of Ohio.

Agreeably to notice given, Mr. Pope obtained leave to bring in a bill freeing from postage all letters and packets from Thomas Jefferson; and the bill was read, and

Ordered, That it pass to the second reading.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

Mr. President: The House of Representatives concur in the bill sent from the Senate, entitled "An act to fix the time for the next meeting of Congress." The House of Representatives have passed a bill, entitled "An act making appropriations for defraying the expense of stationery, printing, and all other contingent expenses of the Senate and House of Representatives, during the present session of Congress, and an additional appropriation for the purchase of books, maps, and charts, for the library of Congress;" also, a bill, entitled "An act concerning the naval department;" in which bills they request the concurrence of the Senate. And he withdrew.

The bills last mentioned was read.

Ordered, That they severally pass to the second reading.

Mr. Leib, from the committee, appointed on the 20th instant, to inquire into the expediency of providing by law for the exclusion of foreign armed vessels from the ports and harbors of the United States, made report; which was read.

The bill, entitled "An act making appropriations for defraying the expense of stationery, printing, and all other contingent expenses of the Senate and House of Representatives, during the present session, and an additional appropriation for the purchase of books, maps, and charts, for the library of Congress," was read the second time by unanimous consent.

Ordered, That it be referred to Messrs. Franklin, Gregg, and Giles, to consider and report thereon.

The bill, entitled "An act concerning the naval establishment," was read the second time, by unanimous consent.

Ordered, That it be referred to Messrs. Bayard, Giles, and Lloyd, to consider and report thereon.

Mr. Lloyd, from the committee to whom was referred the bill, entitled "An act supplementary to the act, entitled 'An act making further provision for the support of public credit, and for the redemption of the public debt,'" reported amendments; which were read.

Mr. Meigs reported, from the committee, that they had examined and found duly enrolled the bill, entitled "An act to fix the time for the next meeting of Congress."

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.

SATURDAY, JUNE 24, 1809.

The bill freeing from postage all letters and packets from Thomas Jefferson was read the second time, and considered as in committee of the whole; and no amendment having been proposed,

On the question, Shall this bill be engrossed and read a third time?

It was determined in the affirmative.

Mr. Franklin, from the committee to whom was referred the bill, entitled "An act making appropriations for defraying the expense of stationery, printing, and all other contingent expenses of the Senate and House of Representatives, during the present session of Congress, and an additional appropriation for the purchase of books, maps, and charts, for the library of Congress," reported an amendment to the bill.

On motion, by Mr. Anderson,

To expunge the second section of the bill, as follows:

"*And be it further enacted*, That, in addition to the sum of one thousand dollars annually appropriated by the act of February twenty-one, one thousand eight hundred and six, for the term of five years thereafter ensuing, there be, and the same hereby is, appropriated, a further annual sum of four thousand dollars for the purchase o

books, maps, and charts, for the library of Congress, to be paid out of any moneys in the Treasury, not otherwise appropriated, to be expended under the direction of a joint committee of three members of the Senate and three members of the House of Representatives, to be appointed every session of Congress, during the continuance of this appropriation."

It was determined in the affirmative, $\left\{ \begin{array}{l} \text{Yeas 17,} \\ \text{Nays 10.} \end{array} \right.$

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Anderson, Condit, Franklin, German, Gregg, Lambert, Leib, Mathewson, Meigs, Parker, Pickering, Pope, Reed, Robinson, Smith, of New York, Turner, and Whiteside.

Those who voted in the negative, are,

Messrs. Bayard, Crawford, Gaillard, Giles, Gilman, Goodrich, Hillhouse, Lloyd, Thruston, and White.

And the President reported the bill to the House amended.

Ordered, That this bill pass to the third reading.

Mr. Franklin reported the amendment correctly engrossed, and the bill was read the third time by unanimous consent, and the title amended.

Resolved, That this bill pass as amended.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendments.

The Senate resumed, as in committee of the whole, the amendment reported by the select committee to the bill, entitled "An act supplementary to the act, entitled 'An act making further provision for the support of public credit, and for the redemption of the public debt.'"

On motion,

Ordered, That the further consideration thereof be postponed until Monday next.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

Mr. President: The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of their President. And he withdrew.

The President signed the enrolled bill last reported to have been examined, and it was delivered to the committee, to be laid before the President of the United States.

Mr. Franklin, from the committee, reported the bill freeing from postage all letters and packets from Thomas Jefferson, correctly engrossed; and the bill was read the third time by unanimous consent.

Resolved, That this bill pass, and that the title thereof be "An act freeing from postage all letters and packets from Thomas Jefferson."

Ordered, That the Secretary request the concurrence of the House of Representatives in this bill.

Agreeably to notice given, Mr. Pope asked and obtained leave to bring in a bill in addition to the "Act to regulate the laying out and making a road from Cumberland, in the state of Maryland, to the state of Ohio;" and the bill was read.

Ordered, That it pass to the second reading.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock on Monday morning.

MONDAY, JUNE 26, 1809.

The Vice President being absent, the Senate proceeded to the election of a President pro tempore, as the constitution provides; and the Honorable Andrew Gregg was elected.

Ordered, That the Secretary wait on the President of the United States, and acquaint him that the Senate have, in the absence of the Vice President, elected the Honorable Andrew Gregg President of the Senate pro tempore.

Ordered, That the Secretary make a like communication to the House of Representatives.

The Senate resumed, as in committee of the whole, the amendments reported by the select committee to the bill, entitled "An act supplementary to the act, entitled 'An act making further provision for the support of public credit, and for the redemption of the public debt;'" and the President reported to the House that the committee of the whole had disagreed to the said amendments, but that they had agreed to amend the bill.

“SEC. 2. *And be it further enacted*, That the Secretary of the Treasury be, and he is hereby, empowered, from and after the passing of this act, until the first day of January next ensuing, with the approbation of the President of the United States, to borrow, on the credit of the United States, a sum not exceeding three millions five hundred thousand dollars, whenever, in his opinion, it may be expedient to borrow said sum, or any part thereof, in order to provide for the expenses of government. And that for the more fully carrying into effect the objects of this act, the same powers, regulations, and restrictions, which apply to loans made by the Commissioners of the Sinking Fund, under the tenth section of the act, entitled ‘An act making further provision for the support of public credit, and for the redemption of the public debt,’ be, and the same are hereby, vested in, and imposed on, the Secretary of the Treasury. And it shall be lawful for him to make any loan or loans hereby authorized of the Bank of the United States, any thing in the act, entitled ‘An act to incorporate the subscribers to the Bank of the United States,’ to the contrary notwithstanding.”

Messrs. Anderson, Bayard, Brent, Condit, Crawford, Franklin, German, Giles, Gilman, Gregg, Griswold, Lambert, Leib, Mathewson, Meigs, Parker, Pickering, Pope, Reed, Robinson, Smith, of New York, Thruston, Turner, White, and Whiteside.

Mr. German, from the committee to whom was referred the petition of John Murray and Sons, reported that the consideration thereof be postponed until the first Monday of December next; and the report was agreed to.

After the consideration of the Executive business,
The Senate adjourned to 10 o'clock to-morrow morning.

TUESDAY, JUNE 27, 1809.

Mr. Franklin, from the committee, reported the bill in addition to the act to regulate the laying out and making a road from Cumberland, in the state of Maryland, to the state of Ohio, correctly engrossed; and the bill was read the third time.

Resolved, That this bill pass, and that the title thereof be "An act in addition to the act to regulate the laying out and making a road from Cumberland, in the state of Maryland, to the state of Ohio."

Ordered, That the Secretary request the concurrence of the House of Representatives in this bill.

The bill, entitled "An act supplementary to the act, entitled 'An act making further provision for the support of public credit, and for the redemption of the public debt,'" was read the third time as amended.

On motion, by Mr. Hillhouse,

To postpone the further consideration thereof until the first Monday in November next,

It was determined in the negative, $\left\{ \begin{array}{l} \text{Yeas} \dots\dots\dots 9, \\ \text{Nays} \dots\dots\dots 15. \end{array} \right.$

The yeas and nays having been required by one-fifth of the Senators present,
Those who voted in the affirmative, are,

Those who voted in the affirmative, are,

Messrs. Bayard, German, Gilman, Goodrich, Hillhouse, Lloyd, Pickering, Reed, and White.

Those who voted in the negative, are,

Messrs. Anderson, Brent, Condit, Franklin, Giles, Gregg, Griswold, Lambert, Meigs, Parker, Pope, Robinson, Smith, of New York, Thruston, and Whiteside.

On motion, by Mr. Pickering,

Ordered, That the further consideration of this bill be postponed until to-morrow.

Mr. Meigs reported, from the committee, that they had examined and found duly enrolled the bill, entitled "An act concerning the naval establishment."

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

WEDNESDAY, JUNE 28, 1809.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

Mr. President: The House of Representatives have passed a bill, entitled "An act to amend and continue in force certain parts of the act, entitled 'An act to interdict the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes, with amendments, in which they request the concurrence of the Senate.

They agree to the amendments of the Senate to the bill entitled "An act making appropriations for defraying the expense of stationery, printing, and all other contingent expenses of the Senate and House of Representatives, during the present session; and an additional appropriation for the purchase of books, maps, and charts, for the library of Congress."

They have passed the bill, entitled, "An act freeing from postage all letters and packets from Thomas Jefferson."

The President of the United States did, on the 20th instant, approve and sign "An act authorizing the discharge of John Heard from his imprisonment."

The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of their President. And he withdrew.

The President signed the enrolled bill last reported to have been examined, and it was delivered to the committee, to be laid before the President of the United States.

The Senate proceeded to consider the amendments of the House of Representatives to the bill, entitled "An act to amend and continue in force certain parts of the act, entitled 'An act to interdict the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes.'"

Whereupon,

Resolved, That they concur therein.

Ordered, That the Secretary notify the House of Representatives accordingly.

The Senate resumed the third reading of the bill, entitled "An act supplementary to the act, entitled "An act making further provision for the support of public credit, and for the redemption of the public debt."

On the question, Shall this bill pass as amended?

It was determined in the affirmative, { Yeas 17,
Nays 9.

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Anderson, Brent, Condit, Franklin, Gaillard, Giles, Gregg, Lambert, Leib, Mathewson, Meigs, Parker, Pope, Robinson, Smith, of New York, Turner, and White-side.

Those who voted in the negative, are,

Messrs. Bayard, Crawford, German, Gilman, Hillhouse, Lloyd, Pickering, Reed, and White.

Resolved, That this bill pass with amendments.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendments.

Mr. Gaillard presented the petition of John Rinaldi, praying to be exonerated from the penalty of the act prohibiting the importation of slaves, for reasons mentioned in the petition; which was read.

Mr. Meigs reported from the committee that they had examined and found duly enrolled the bill, entitled "An act freeing from postage all letters and packets from Thomas Jefferson;" the bill, entitled "An act to amend and continue in force certain parts of the act, entitled 'An act to interdict the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes;" and the bill, entitled "An act making appropriations for defraying the expense of stationery, printing, and all other contingent expenses of the Senate and House of Representatives during the present session."

The President laid before the Senate a letter from B. H. Latrobe, respecting arrangements in the new Senate chamber; which was read.

On motion, by Mr. Lloyd,

Resolved, That a committee be appointed to take into consideration the letter of B. H. Latrobe, of this date, and to give such directions respecting the finishing of the new Senate chamber as they may judge will best promote the convenience of the Senate; and

Ordered, That Messrs. Lloyd, Thruston, and Anderson, be the committee.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

Mr. President: The Speaker of the House of Representatives having signed several enrolled bills, I am directed to bring them to the Senate for the signature of their President. And he withdrew.

The President signed the three enrolled bills last reported to have been examined, and they were delivered to the committee, to be laid before the President of the United States.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

Mr. President: The House of Representatives have passed the bill, entitled "An act authorizing the accounting officers of the Treasury Department to give credit to certain collectors of the customs for allowances paid by them to the owners and crews of fishing vessels."

They have passed the bill, entitled "An act to suspend for a limited time the recruiting service," with an amendment, in which they request the concurrence of the Senate.

They have passed the bill, entitled "An act for the remission of certain penalties and forfeitures, and for other purposes," with amendments, in which they desire the concurrence of the Senate.

The House of Representatives concur in the amendments of the Senate to the bill, entitled "An act supplementary to the act, entitled 'An act making further provision for the support of public credit, and for the redemption of the public debt.'" And he withdrew.

The Senate proceeded to consider the amendment of the House of Representatives to the bill, entitled "An act to suspend for a limited time the recruiting service."

Resolved, That they concur therein.

Ordered, That the Secretary notify the House of Representatives accordingly.

The Senate proceeded to consider the amendments of the House of Representatives to the bill, entitled "An act for the remission of certain penalties and forfeitures, and for other purposes."

Resolved, That they concur therein.

Ordered, That the Secretary notify the House of Representatives accordingly.

On motion,
After the consideration of the Executive business,
The Senate adjourned to 6 o'clock this evening.

SIX O'CLOCK IN THE EVENING.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

Mr. President: The House of Representatives have passed the bill, entitled "An act making an appropriation to finish and furnish the Senate chamber, and for other purposes."

They have passed a bill, entitled "An act authorizing the discharge of Joseph Wilkinson, jun. from his imprisonment;" in which they request the concurrence of the Senate. And he withdrew.

The bill brought up for concurrence was read three times by unanimous consent.

Resolved, That this bill pass.

Ordered, That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this bill.

Mr. Meigs reported, from the committee, that they had laid before the President of the United States the enrolled bill, entitled "An act freeing from postage all letters and packets from Thomas Jefferson;" the enrolled bill, entitled "An act to amend and continue in force certain parts of the act, entitled 'An act to interdict the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes;'" the enrolled bill, entitled "An act making appropriations for defraying the expense of stationery, printing, and all other contingent expenses of the Senate and House of Representatives, during the present session;" and the enrolled bill, entitled "An act concerning the naval establishment;" and that the committee had examined and found duly enrolled the bill, entitled "An act making an appropriation to finish and furnish the Senate chamber, and for other purposes;" the bill, entitled "An act for the remission of certain penalties and forfeitures, and for other purposes;" the bill, entitled "An act authorizing the accounting officers of the Treasury Department to give credit to certain collectors of the customs for allowances paid by them to the owners and crews of fishing vessels;" and the bill, entitled "An act to suspend for a limited time the recruiting service."

On motion,

Resolved, That Messrs. Pope and Brent be a committee on the part of the Senate, with such as the House of Representatives may join, to wait on the President of the United States and notify him that, unless he may have any further communications to make to the two houses of Congress, they are ready to adjourn.

Ordered, That the Secretary acquaint the House of Representatives therewith, and request the appointment of a committee on their part.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

Mr. President: The House of Representatives have appointed a committee on their part, to wait on the President of the United States, and notify him of the intended recess of Congress.

The Speaker having signed several enrolled bills, I am directed to bring them to the Senate for the signature of their President. And he withdrew.

The President signed the four enrolled bills last reported to have been examined, and they were delivered to the committee, to be laid before the President of the United States.

Mr. Meigs reported, from the committee, that they had laid before the President of the United States the enrolled bill, entitled "An act for the remission of certain penalties and forfeitures, and for other purposes;" the enrolled bill, entitled "An act to suspend, for a limited time, the recruiting service;" the enrolled bill, entitled "An act authorizing the accounting officers of the Treasury Department to give credit to certain collectors of the customs for allowances paid by them to the owners and crews of fishing vessels;" and the enrolled bill, entitled "An act making an appropriation to finish and furnish the Senate chamber, and for other purposes;" and that the committee had examined and found duly enrolled the bill, entitled "An act supplementary to the act, entitled 'An act making further provision for the support of public credit, and for the redemption of the public debt;'" and the bill, entitled "An act authorizing the discharge of Joseph Wilkinson, jun. from his imprisonment."

A message from the House of Representatives, by Mr. Magruder, their Clerk:

Mr. President: The Speaker of the House of Representatives having signed several enrolled bills, I am directed to bring them to the Senate for the signature of their President. And he withdrew.

The President signed the two enrolled bills last reported to have been examined, and they were delivered to the committee, to be laid before the President of the United States.

A message from the President of the United States, by Mr. Graham:

Mr. President: The President of the United States has this day approved and signed "An act to amend and continue in force certain parts of the act, entitled 'An act to interdict the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes,'" "An act freeing from postage all letters and packets from Thomas Jefferson;" "An act to suspend, for a limited time, the recruiting service;" "An act making an appropriation to finish and furnish the Senate chamber, and for other purposes;" "An act authorizing the accounting officers of the Treasury Department to give credit to certain collectors of the customs, for allowances paid by them to the owners and crews of fishing vessels;" and "An act for the remission of certain penalties and forfeitures, and for other purposes."

Ordered, That the Secretary notify the House of Representatives accordingly.

Mr. Pope, from the committee, reported that they had waited on the President of the United States, who informed them that he had no further communications to make to the two houses of Congress.

On motion, by Mr. Thruston,

That the Secretary of the Senate be authorized to pay, out of the contingent fund of this House, to Tobias Simpson, Elkanah Henley, and Henry Miller, the sum of twenty-five dollars each, in addition to their usual compensation:

It was objected to by Mr. Pickering, as against the rule.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

Mr. President: The President of the United States has approved and signed "An act supplementary to the act, entitled "An act making further provision for the support of public credit, and for the redemption of the public debt;" "An act concerning the naval establishment;" "An act making appropriations for defraying the expense of stationery, printing, and all other contingent expenses of the Senate and House of Representatives, during the present session;" and "An act authorizing the discharge of Joseph Wilkinson, jun. from his imprisonment." The House of Representatives, having finished the business before them, are about to adjourn. And he withdrew.

Ordered, That the Secretary inform the House of Representatives that the Senate, having finished the business before them, are about to adjourn.

The Secretary having performed that duty,

The President adjourned the Senate, to meet on the fourth Monday of November next.

APPENDIX.

List of Acts passed during the First Session of the Eleventh Congress.

- An act respecting the ships or vessels owned by citizens or subjects of foreign nations with which commercial intercourse is permitted.
- An act making further appropriations to complete the fortifications commenced for the security of the ports and harbors of the United States, and to erect such fortifications as may be necessary for the protection of the northern and western frontiers of the United States.
- An act supplementary to an act, entitled "An act making appropriations for carrying into effect a treaty between the United States and the Chickasaw tribe of Indians," and to establish a land office in the Mississippi territory.
- An act authorizing the appointment of an agent for the land office at Kaskaskia, and allowing compensation to the commissioners and clerk.
- An act to continue in force an act declaring the assent of Congress to a certain act of the state of South Carolina, passed the twenty-first day of December, one thousand eight hundred and four.
- An act authorizing the discharge of John Heard from his imprisonment.
- An act to fix the time for the next meeting of Congress.
- An act concerning the naval establishment.
- An act to amend and continue in force certain parts of the act, entitled "An act to interdict the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes."
- An act making appropriations for defraying the expense of stationery, printing, and all other contingent expenses of the Senate and House of Representatives, during the present session of Congress.
- An act freeing from postage all letters and packets from Thomas Jefferson.
- An act for the remission of certain penalties and forfeitures, and for other purposes.
- An act supplementary to the act, entitled "An act making further provision for the support of public credit, and for the redemption of the public debt."
- An act to suspend, for a limited time, the recruiting service.
- An act making an appropriation to finish and furnish the Senate chamber, and for other purposes.
- An act authorizing the accounting officers of the Treasury Department to give credit to certain collectors of the customs for allowances paid by them to the owners and crews of fishing vessels.
- An act authorizing the discharge of Joseph Wilkinson, jun. from his imprisonment.

Senators of the United States whose seats will be vacated:

MARCH, 1811.	MARCH, 1813.	MARCH, 1815.
Mr. Bayard,	Mr. Bradley,	Mr. Anderson,
Crawford,	Franklin,	Brent,
Giles,	Gaillard,	German,
Gilman,	Goodrich,	Hillhouse,
Mathewson	Gregg,	Lambert,
Pickering,	Milledge,	Leib,
Sumter,	Parker,	Lloyd,
Thruston,	Pope,	Meigs,
Turner,	Reed,	Robinson,
Whiteside,	Smith, of New York,	White.
VACANT,	VACANT,	VACANT,
New Jersey, one.	Ohio, one.	Maryland, one.